

Remarks

Claims 1-5 are currently rejected under 35 USC §112, first paragraph, for lack of enablement.

The claims have been amended as follows. Claims 1, 3 and 5 are canceled. Claim 2 is amended by incorporating claim 5 into Claim 2. Claim 4 is amended by including individual diastereomers and pharmaceutically acceptable salts of the structure shown in the claim.

The rejection is based on the argument that the claim 5 can not be enabled for the CCR₂ antagonists described by the genus of compounds shown in Claim 2. The Examiner has taken the position that the claims are enabled only for the specific compounds that were tested in the examples, which are Compounds B and C in view of the restriction requirement.

In order to expedite examination the claims have been amended so that they claim a method of treating neuropathic pain using Compounds B and C. Claim 2 is directed to Compounds B and C, and Claim 4 is directed only to Compound B.

The amended claims therefore are directed to the compounds that were tested in the examples, which according to the Office Action are enabled. The claims thus are in condition for allowance.

If the Examiner wishes to discuss any matter regarding this Response, she is invited to telephone the undersigned attorney.

This Response is timely filed, and no fees are believed to be due. If a fee is required in connection with this Response the fee may be charged to Merck Deposit Account No.: 13-2755

Respectfully submitted,

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